

Appendix A

NATHANIEL POLISH, Ph.D.
Daedalus Technology Group, Inc.
 135 West 26th Street
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business
 experience
 1980-present

President

Daedalus Technology Group, Inc. successor to NPS ASSOCIATES **NEW YORK, NY**
 Co-founded computer consulting firm. Employs up to twenty people as needed.

clients
 include:

Intellectual Property Consulting. Various anonymous clients. **NEW YORK, NY**
Consulting on patent valuation and strategy: Act as an advisor on technical and intellectual property matters to various clients. Developed intellectual property for various companies. 2001-present.

SpokenHub. **NEW YORK, NY**
Predictive dialer deployment and operation: During the 2012 election cycle assembled and ran a team of engineers to deploy, debug, and operate a large scale outbound calling server farm. This server farm supported hundreds of agents and millions of minutes of calling. 2012.

Risk Solutions International. **NEW YORK, NY**
Risk management: Developed technology platform to allow for complex question and answer sessions with airport managers. The results of the sessions then generated planning documents used in risk management. Results were published as part of a Transportation Research Board research program. 2011-2013.

SmartSystems/Specialty Acquirer. **NEW YORK, NY**
Advanced Transit fare collection: Founding member of board of directors. Advisor on technical and intellectual property matters. Developed intellectual property for the company. The company is engaged in the development and sale of advanced fare collection systems for mass transit using RFID technologies. 2004-present.

Skywi. **FORT WORTH, TX**
Wireless broadband: Founding board of directors member. Advisor on technical and intellectual property matters. The company provides a variety of wireless broadband services to semi-rural customers using mesh networks. 2004-2009.

Placecorp. **NEW YORK, NY**
Wireless text messaging system: Designed and developed a very large scale, multi-platform text messaging system. Acted as the lead technologist for a startup. In this capacity attended many venture capital meetings and developed all technical sections to the business plans. The system integrated advanced Interactive Voice Response (IVR) with email, paging, and SMS messaging. Oversaw and planned initial development of very small paging device to be manufactured in very high volume. 2000-2001.

Marketboy. **NEW YORK, NY**
Distributed market making system: Provided a range of services in the areas of product definition, specification, and implementation strategy. Marketboy was a distributed system that allowed prospective purchasers and vendors to make bid and ask offers for proposed transactions. 2000.

Savos. **NEW YORK, NY**
Telephone to streaming audio bridge: Developed, designed and deployed an industrial strength IVR system that allows users to access streaming media via their cell phones. The system supports up to 96 streams on a single chassis. Developed web based content management system and interface for customizable user preferences. 2000.

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deliverENow.

NEW YORK, NY

Online delivery system: Developed a proof of concept prototype of online delivery system. This consisted of a stock clerk server written for Windows CE (Clio) with a CDPD network connection. It demonstrated how purchase and delivery information would be sent to an in-store stock person who prepares them for pickup by a member of the deliverENow courier network. Provided strategic technical advice. Served on board of advisors. Wrote technical specification of business and logistical components of the system. 2000.

Togglethis.

NEW YORK, NY

Animation distribution system: Developed critical components of initial version of email-delivered animation system. Components included MacroMedia Director Xtras as well as encryption functions. Developed tools to distribute and manage Togglethis's content, DTG built a custom UNIX email list-server. This server allowed Toggle administrators to create groups, upload episodes, and schedule the delivery of their content. Developed system architecture and language specification for the next version of the IC Engine, which drives the characters. 1998-1999.

JuniorNet.

BOSTON, MA

Children's on-line service: Designed, developed and lead the implementation of a large scale network system for delivery of children's entertainment and education content. Worked with the president and other key players to fit a technology strategy to corporate goals. System is required to serve from 200,000 to 1,000,000 subscribers and be supportable over three to five years. All project goals met within a \$1,000,000+ budget. 1997-2000.

One Click Charge.

NEW YORK, NY

Provide a wide range of consulting services starting with technology evaluation for the principal investor. Provided services in the areas of product definition, team formation and implementation strategy. Developed significant components of a substantial Internet micropayment and authentication system. 1998-2000.

Swatch.

WEEHAWKEN, NJ

Ticketing system: Implemented a radio frequency identification (RFID) based system for providing access to the 1998 Goodwill Games utilizing RFID tagged wristwatches. 1998-1999.

Instant Video Technologies, Inc./Burst.com

SAN FRANCISCO, CA

Burstware --. Designed and developed a series of products to deliver digital video and audio materials over wide-area internet using consumer grade computers. Products were designed to fit within the client's existing patent portfolio. 1995-1997.

Technical evaluation --. Provided technology strategy and evaluation services and acted as Technology Director. 1995-1997.

Assurenent.

BETHESDA, MD

Internet Insurance system --. Designed and developed a system for utilization of the Internet for the distribution and control of insurance agent support software. System can handle tens of thousands of simultaneous users. Member of Board of Directors. 1995-2002.

New Zealand Antarctic Project (NZAP) and US Antarctic Program (USAP).

ANTARCTICA

Penguin Weighbridge -- Designed, developed, and deployed system for tracking the comings and goings, weights, and Ids of Adelie penguins in their natural environment on three colonies on Ross Island, Antarctica. Systems run continuously for months in adverse conditions. 1994-present.

Electronic Digital Documents, Inc.

NEW YORK, NY

Check Image Compression system --. 1995-1999.

American Veterinary Identification Devices, Inc.

NORCO, CA

AVID reader -- Designed and developed digital computer components of radio frequency identification system. Work involved imbedded microcontrollers and real-time digital signal

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processing in very noisy environment. Designed communications protocols including encryption and error checking schemes. Product in high volume (50,000 unit) production. 1988-1995.

Bannon & Co.

BEVERLY HILLS, CA

Financial models -- Developed detailed financial model of business with 49 separate operating entities in six separate operating companies under two holding companies. Models included projections and actuals on a quarterly basis over ten years. 1993.

Technology valuation -- Provided technology evaluation and valuation services for private placement memoranda for technology companies. 1993.

Amprobe Instrument, Inc.

LONG ISLAND, NY

REMCON tester -- Designed and implemented product life-cycle test fixture for a new and innovative solid state switch. Test fixture used by Underwriters Labs for approval. 1988.

Personal Computer Card Corporation

NEW YORK, NY

Smart Cards -- Designed smart card reader/writer system. Performed general design and component selection and wrote software for smart card communications. System design implemented in commercial product. 1987.

The Dun & Bradstreet Corporation

NEW YORK, NY

Voice editing systems -- Designed and built all parts of four generations of interactive voice editing systems. Editing systems produce output used in extensive, high quality speech synthesis system that is part of larger information delivery system. The systems are built on networks of computers in a variety of programming languages and systems. The system involved interactive user interfaces, screen windows, signal processing, and voice file systems. 1982-1991.

1997-2001

Co-Founder, Director and CTO

I-RECALL, INC.

NEW YORK, NY

1996-1999

Co-Founder, Director, CTO & Principal Product Designer

SOLILOQUY, INC.

NEW YORK, NY

Natural language interfaces to databases: Co-founded in 1996 a company to provide next generation interfaces to structured databases. Developed prototype system using speech recognition and speech synthesis to provide access to music and ecommerce databases. Raised \$1.5 million in angel investments. Company has raised a total of \$8 million through a variety of institutional and individual investors. Hired replacement CTO and exited company in 1999.

1991-1992

President & Principal Product Designer

SIMPLICITY COMPUTING, INC.

NEW YORK, NY

Co-founded in 1991 a computer peripherals manufacturing company concentrating on portable products with international mass-market appeal. Main product: Simplicity Portable Drive, an IBMPC parallel port connected, portable disk storage system. Marketed domestically and in 25+ countries. Products marketed direct via telemarketers, trade shows, sales reps, and national advertising. Products distributed through dealers, distributors and national catalog houses. Company employed 10 people.

- Wrote business plan and raised \$350,000 startup funding
- Established marketing plans
- Directed marketing of products in trade shows, national advertisements and focus groups
- Managed employees
- Designed hardware and software for products
- Supervised hardware & software implementation teams. First units shipped less than six months from start of project.
- Supervised all aspects of manufacturing and testing process. Contracted with four manufacturing facilities and many suppliers for production.
- Supervised and established call-in customer support services

1989-1999

President & CEO

MEASUREMENT & CONTROL PRODUCTS, INC.

NEW YORK, NY

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Founded in August 1989 an electronic products development company. M&CP designs, develops, markets and sells its own products through retail, wholesale and catalog channels domestically and abroad. All manufacturing is contracted. Company was profitable in its first year of operation.

Flagship product:

BitView -- Hand held RS-232 data communications diagnostic monitor. Invented, developed and produced hardware and software. Developed and oversaw implementation of marketing strategies, budgets, and business plans. Product currently in third production run.

Nathaniel Polish**education**

1980-1993 COLUMBIA UNIVERSITY NEW YORK, NY
 Ph.D. in Computer Science, May 1993,
 Thesis: *Mixed Distance Measures for the Optimization of Concatenative Vocabularies in Speech Synthesis*.
 MPhil in Computer Science, December 1989.
 MS in Computer Science, December 1987.
 BA in Physics, Columbia College, May 1984.

**teaching
positions**

1997 COLUMBIA UNIVERSITY NEW YORK, NY
 Adjunct Professor, Computer Science.
 Advanced undergraduate course: *Artificial Intelligence*.

1989 COLUMBIA UNIVERSITY NEW YORK, NY
 Graduate Lecturer, Computer Science.
 Advanced undergraduate course: *Software Design*. Taught 68 advanced undergraduates. Supervised two teaching assistants. Students implemented full spreadsheet application under UNIX.

1984-1985 CITY UNIVERSITY OF NEW YORK NEW YORK, NY
 Adjunct Professor, Experimental Psychology.
 Graduate-level course: *Computer Methods in Experimental Psychology*.

**publications
and patents**

- 2010** Michael L. Beigel, Nathaniel Polish, Steven R. Frank, and Robert E. Malm. Electronic Identification System with Improved Sensitivity. United States Patent 7,737,821B2. June 15, 2010.
- 2009** Silbernagl, Martin and Polish, Nathaniel. Learning Fare Collection System for Mass Transit. United States Patent 7,568,617. August 4, 2009.
- 2009** Silbernagl, Martin and Polish, Nathaniel. Learning Fare Collection System for Mass Transit. United States Patent 7,566,003. July 28, 2009.
- 2002** Beigel, Michael L.; Polish, Nathaniel; Frank, Steven R.; Malm, Robert E. Electronic identification system with improved sensitivity. United States Patent 6,472,975. October 29, 2002.
- 2002** Nathaniel Polish. Bilateral speech system. Speech dialogs for database access. United States Patent 6,430,531. August 6, 2002.
- 1999** Nathaniel Polish. System and method for distributing and managing digital video information in a video distribution network. United States Patent 5,963,202. October 5, 1999.
- 1993** Michael L. Beigel, Nathaniel Polish and Robert E. Malm. Multi-Mode Identification System. Fundamental RFID technology. United States Patent 5,235,326. August 10, 1993.
- 1991** Nathaniel Polish. Mixed Distance Measures for Synthetic Speech Evaluation. In *Proceedings of ICASSP-91*, Toronto, Canada, 1991.
- 1988** Nathaniel Polish. A Distributed Signal Processing Facility for Speech Research. In *Proceedings of AVIOS88*, San Francisco, CA. October 4-6 1988.
- 1987** Nathaniel Polish. Mixed Distance Measures for Optimizing Concatenative Vocabularies for Speech Synthesis: A Thesis Proposal. Columbia University Department of Computer Science technical report number CUCS-310-87, 1987.
- 1983** M. Morris, N. Polish, B. Zuckerman, and N. Kaifu. The Temperature of Molecular Gas in the Galactic Center Region. *The Astronomical Journal*, 88(8):1228-1235, August 1983.

Nathaniel Polish**research
interests**

Computer Speech, Distributed Systems, Interactive Environments.
Software Engineering, Systems Engineering, Technology Policy.
Knowledge-Based Approaches to Signal Processing.
Computational Physics, Non-Linear Dynamics.

**professional
societies**

International Society for Electrical and Electronics Engineers (IEEE),
Association of Computing Machinery (ACM),
American Association for the Advancement of Science (AAAS).

**other
interests**

Foreign Policy, Political Science, Long Distance Bicycling, United States Space Program.

grants

AT&T Special Projects Grant of \$25,000 for synthetic speech, 1986.

Financial support for Ph.D. work was provided by the New York State Science and Technology Foundation Center for Advanced Technology in Computers and Information Systems at Columbia University.

Santa Fe Institute Complex Systems Summer School, 2003. Month-long workshop in agent-based models, non-linear systems, and complexity.

1982-present**Technology development projects**

Some technology development projects have included:

Wildlife Tracking Systems -- Implemented a remote monitoring system to track and weigh Adelie penguins on Ross Island, Antarctica. System was debugged on-site and made to function in adverse environmental circumstances. 1994-1997.

Internet Systems -- Implemented a LINUX Internet server with FTP and gopher services. Installed and Internet client for IBM/PC platform. 1994-1995.

Image Compression Technology -- Developed proof-of-concept system for a system to compress images of checks to very small file size. 1994.

Biomedical Systems -- Implemented a large biomedical system used in patient diagnostics.

Provided all necessary materials for Food and Drug Administration compliance. 1992-1993.

Synthetic Speech Systems -- Implemented and supported several generations of synthetic speech systems for commercial as well as research purposes. 1985-1999.

Graphics -- Developed high-speed drivers for several graphical devices and evaluated their applicability for interactive uses. Devices included: Vectrix, RAMTEK, Apple Lisa, and IBM Enhanced Graphic Adapter. 1983-1987.

Voice Boards -- Specified function requirements for several generations of high quality voice boards for Q-bus (PDP-11), Apple, MultiBus, and IBMPC bus. Developed high-speed drivers for each of the boards. 1982-1986.

Video Disk and Touch Screens -- Developed experimental interactive system utilizing computer controlled video disks and touch screens. 1982.

1994-present**Intellectual property projects**

A separate document detailing intellectual property projects is available on request.

tools

Languages commonly used:

Pascal 1980-1988

C 1985-present.

Other languages used: C++, Lisp, Java, and FORTRAN.

Assembler:

Intel 8048, 8051, 8088-pentium

Motorola 680xx (on Sun workstations)

TI 320xx signal processors

Zilog Z8, Z80

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Protocols include:

TCP/IP, UDP, RPC and NFS

Operating systems commonly used: UNIX, MSDOS, Windows and p-system.

In circuit emulators.

Database tools.

**contact
information**

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Academic and business references available upon request.

November 2014.



Nathaniel Polish, Ph.D. ♦ Daedalus Technology Group, Inc. ♦ polish@dtgroup.com
Summary of Experience in Intellectual Property Matters, as of February 2016

Date	Case and Jurisdiction	Work Product	Counsel, Nature of Case and Additional Notes
05/2015-present	<i>Chestnut Hill Sound, Inc. v. Apple Inc.</i> Case No. 15-cv-261 (D. Del.) In The United States District Court for the District of Delaware	Declaration in support of Apple's opposition to preliminary injunction	Retained by Desmarais, LLP (contact: Alan Kellman) representing Apple Inc. This is a patent matter involving control of multimedia streams in home entertainment networks.
04/2015-Present	<i>Mobile Telecommunications Technologies, LLC v. BlackBerry Corporation</i> Case No. 3:12-cv-01652-M (N.D. Tex.) In the United States District Court for the Northern District of Texas Dallas Division	Expert report on non-infringement and invalidity; deposition	Retained by McDermott Will & Emery (contact: Leigh Martinson) representing BlackBerry. I am handling invalidity as well as non-infringement. This is a patent case involving a number of issues related to smartphones and messaging.
03/2015-present	<i>WAG Acquisition LLC v. Gattyana S.a.r.l. et al</i> Case No. 2:14-cv-2832-ES-JAD (D. N.J.) In the United States District Court District of New Jersey	Declarations in four IPRs; deposition	Retained by Baker & McKenzie LLP (contacts: Kevin O'Brien and Matt Dushek) representing the defendants. This is a patent matter involving streaming media. I submitted declarations in four IPRs in this case.
02/2015-present	<i>Comcast Cable Communications LLC, et al. v. Sprint Communications Company L.P. et al.</i> , Case No. 2:12-cv-0859 (E.D. Pa)	Expert report on invalidity.	Retained by McGuireWoods, LLP (contact: George J. Barry III) representing Sprint Inc. This is a patent matter involving the architecture of messaging servers in a cell phone network.
12/2014-05/2015	<i>Enterprise Systems Technologies S.a.r.l. v. Apple Inc.</i> C.A. No. 1:14-cv-00765-UNA In the United States District Court for the District of Delaware	Declaration submitted for IPR	Retained by Ropes & Gray, LLP (contact: Stefan Geirhofer) representing Apple Inc. This was a patent matter involving a district court case, an ITC case and an IPR. The technology mobile messaging. This case settled.

11/2014-04/2015	<i>Solocron Media, LLC v. Verizon Communications Inc., et al</i> Case No. 2:13-cv-1059 (E.D. Tex.) In the United States District Court Eastern District of Texas Marshall Division	Expert report on invalidity	Retained by Wiley Rein, LLP (contact: Scott Felder) representing Verizon. This was a patent matter. I prepared a report on invalidity and assisted with a report on non-infringement. This case terminated favorably for Verizon before I was deposed.
10/2014-02/2015	<i>RecogniCorp, LLC v. Nintendo Co. Ltd. Et al</i> Case No. 2:12-cv-01873-RAJ In the U.S. District Court Western District of Washington		Retained by Orrick, Herrington & Sutcliffe LLP (Contact: Doc Daybell) representing Nintendo Co. Ltd.
07/2014-01/2016	<i>Aylus Networks, Inc. v. Apple Inc.</i> Case No: 3:13-cv-04700-EMC. In the United States District Court Northern District of California San Francisco Division	Declarations in support of claim construction as well as summary judgment; expert reports on non-infringement and invalidity; deposition	Retained by DLA Piper (contact: Mark Fowler) representing Apple, Inc. I was handling non-infringement as well as invalidity. This was a patent matter involving control of multimedia streams in home entertainment networks. This case was dismissed on summary judgment favorable to Apple.
05/2014-10/2014	<i>Jobdiva, Inc. v. Monster Worldwide, Inc.</i> Case no: 13 Civ. 8229(KBF) In the United States District Court for the Southern District of New York	Declaration on infringement; deposition	Retained by Kirkland and Ellis (contact: James Marina) representing Jobdiva. This was a patent matter involving methods of search and display of resumes. I offered a declaration that was most of an expert report. This case settled.
12/2013-06/2014	<i>Straight Path IP Group, Inc., v. LG Electronics, Inc. et.al</i> C.A. No. 1:13-cv-00933 Investigation No. 337-TA-892	Expert report on non-infringement; deposition	Retained by Finnegan (contact: Aidan Skoyles) representing LG Electronics, Inc. This was a patent matter regarding smart televisions. This case has been stayed.
11/2013-12/2013	<i>Glaxosmithkline, LLC. v. Genentech, Inc.</i> Case No: 10-799-GMS. In the United States District Court for the District of Delaware.	Expert report on an evidentiary matter; deposition	Retained by Desmarais (contact: Xiao Li) representing GSK. I offered opinions regarding the quality of certain metadata information associated with several files at issue in the case.
09/2013-09/2014	<i>Profectus Technology LLC, v. Huawei Technologies Co. LTD, et al.</i> Case No. 6:11-cv-00474. In the United States District Court for the Eastern District of Texas Tyler Division	Expert report on non-infringement	Retained by Baker Botts (contact: Tammy Pennington) representing Dell. This patent matter dealt with technologies used in electronic picture frames. This case settled.
09/2013-03/2014	<i>Black Hills Media v. Samsung, LGE et al. Certain Digital Media Devices, including Televisions, Blu-Ray Disc Players, Home Theater Systems, Tablets and Mobile Phones, Components Thereof and Associated Software.</i> United States International Trade Commission Investigation No. 337-TA-882.	Expert report on non-infringement; deposition; testimony at hearing	Retained by Finnegan (contact: Houtan Esfahani) representing LGE. This patent matter dealt with technologies used by one device to direct another device to obtain and render media from a third device. The hearing has concluded.

06/2013-02/2015	<i>OpenText S.A. v. Alfresco Software LTD; Alfresco Software, Inc.; and Carahsoft Technology Corporation.</i> Case No. 2:13CV320AWA/LRL. In the United States District Court for the Eastern District of Virginia.	Expert reports on infringement and validity; depositions; tech tutorial	Retained by Cooley, LLP (contact: Frank Pietrantonio) representing OpenText My patents were dropped from trial.
05/2013-present	<i>Hartford Fire Insurance Company v. Progressive Corporation and Progressive Casualty Insurance Company.</i> Case No. 1:12-cv-02444. In the United States District Court for the Northern District of Ohio Eastern Division.	Expert report on claim construction; deposition	Retained by Baker Botts (contact: Robert Scheinfeld) representing Hartford. I am handling both infringement as well as validity.
10/2012-present	<i>MobileMedia Ideas, LLC. v. HTC Corporation and HTC America, Inc.</i> In the United States District Court for the Eastern District of Texas, Marshall Division.	Expert reports; deposition	Retained by Desmarais, LLC (contact: Alan Kellman) representing MMI. This is a patent dispute involving user interfaces to cell phones. I am handling both infringement and validity.
10/2012-04/2014	<i>Nokia Corporation, Nokia Inc., and Intellisync Corp v. HTC. Certain Electronic Devices, Including Mobile Phones and Tablet Computers, and Components Thereof.</i> United States International Trade Commission Investigation No. 337-TA-847.	Expert reports, depositions; testimony at hearing	Retained by Desmarais, LLC (contact: Alan Kellman) representing Nokia. This was a patent dispute involving user interfaces to cell phones. I handled both infringement and validity. My patent was dropped from the case during the hearing.
09/2012-present	<i>Intellectual Ventures I LLC et al. v. AT&T Mobility LLC et al.</i> Civil Action No. 12-CV-193-LPS (D.Del.)		Retained by Baker Botts (contact: Robert Maier) representing AT&T Mobility LLC.
08/2012-10/2015	<i>Potter Voice Technologies, LLC, v. Apple Inc et al.</i> CV 1:12-cv-01096-REB-CBS In The United States District Court for the District of Colorado.	Declaration in support of summary judgment; expert reports	Retained by Cooley, LLP (contact: Timothy Teter) representing Apple Inc. This was a patent dispute involving Natural Language Processing on smartphones. I handled both infringement and validity. This case was favorably dismissed on summary judgment.
08/2012-10/2014	<i>OpenTV, Inc. v. Netflix Inc.</i> Case No. 3:14-cv-01525 In the United States District Court for the District of Delaware	Declaration regarding a motion for summary judgment	Retained by Kirkland & Ellis, LLP (contact: Matthew Topic) representing OpenTV. I submitted a declaration in opposition to a motion for summary judgment regarding section 101 issues.
08/2012-12/2012	<i>J2 Global Communications, Inc. v. EasyLink Services International Corp.</i> Case No. 09-4189-DDP (AJWx) In The United States District Court Central District of California Western Division.		Retained by Perkins Coie, LLP (contact: Timothy Carroll) representing EasyLink Corp. I handled both infringement and validity. This was a patent dispute regarding enterprise fax and messaging systems.
06/2012-present	<i>EasyWeb Innovations, LLC v. Twitter, Inc.</i> Civil Action No CV 11-4550-JFB-WDW. In The United States District Court for the Eastern District of New York.	Expert reports; deposition	Retained by Desmarais, LLC (contact: Alan Kellman) representing EasyWeb. This is a patent dispute involving messaging technologies. I am handling both infringement and validity.

06/2012	Cisco	Declaration	Retained by Haynes and Boone, LLP (contact: Andrew Ehmke) representing Cisco. This was an IPR case and I submitted a declaration in the matter.
02/2012-06/2014	<i>Emblaze LTD v. Apple Inc.</i> Case No 4:11-CV-01079 SBA. In The United States District Court for the Northern District of California.	Markman tutorial; Expert report on non-infringement; tech tutorial; testimony at trial	Retained by Greenberg Traurig, LLP (contact: James DeCarlo) representing Apple, Inc. The case was ultimately tried by DLA Piper (contact: Mark Fowler). This was a patent dispute. The case involved technology for distribution of multimedia over the Internet. The trial concluded with the jury finding no infringement.
12/2011-present	<i>Apple Inc. v. Samsung Electronics Co, LTD.</i> Case No. CV12-00630 In The United States District Court for the Northern District of California San Jose Division.	Expert declaration; deposition	Retained by Gibson Dunn, LLP (contact: Joshua Furman) representing Apple, Inc. This is a patent dispute involving multi-database search on a mobile device. I am handling both infringement and validity. We received a pre-trial injunction on the products in question.
12/2011-08/2012	<i>NorthMobile Tech, LLC v. Simon Property Group, Inc.</i> Case No. 3:11-cv-287 In The United States District Court Western District of Wisconsin.	Expert report; declarations	Retained by Perkins Coie (contact: Timothy Carroll) representing Simon Property Group. This was a patent dispute involving a location based marketing application on smartphones. I am handling both infringement and validity. We prevailed pre-trial.
11/2011-09/2015	<i>Oasis Research, LLC v. ADrive LLC, Et al.</i> Case No. 4:10-CV-435-MHS-ALM In The United States District Court for the Eastern District of Texas Sherman Division.	Expert reports; deposition	Retained by Desmarais, LLP (contact: Alan Kellman) representing Oasis Research LLC. I am handling both infringement and validity. This is a patent dispute regarding on line backup and storage. This case settled.
08/2011-06/2014	<i>Apple Inc and Next Software, Inc. v. Motorola, Inc. and Motorola Mobility, Inc.</i> Case No. 10-CV-662(BBC) In The United States District Court for The Western District of Wisconsin	Expert reports	Retained by Weil, Gotshal & Manges, LLP (contacts: Kevin Kudlac and Elizabeth Weiswasser) representing Apple, Inc. This was a patent dispute. The case involved technology for the interface of DSPs in cell phones. I handled both infringement as well as validity. This case was dismissed pre-trial by Judge Posner.
06/2011-02/2012	<i>Creative Kingdoms, LLC and Medici Portfolio LLC v. Nintendo Co. Ltd. Certain video game systems and Wireless controllers and Components thereof.</i> In The United States International Trade Commission Investigation No.337-TA-770	Expert report; deposition; testimony at hearing	Retained by Cooley LLP (contacts: Tim Teter and Matthew Brigham) representing Nintendo Co. Ltd. This was a patent dispute. The case involved technology used in wireless and motion sensing controllers. I handled invalidity. We prevailed at the hearing.

02/2011-11/2011	WiAv Solutions LLC v. Motorola Mobility, Inc., Nokia Corp., Nokia, Inc, Sony Ericsson Mobile Civil Action No: 3:09-cv-447-LO. In The United States District Court for The Eastern District of Virginia	Expert report; deposition	Retained by Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (contacts: Kenie Ho and Christopher Schultz) representing WiAv Solutions LLC. This was a patent dispute. The case involved technology for speech codecs used in GSM cell phones. I handled the infringement side of the case. This case settled.
08/2010-04/2011	Apple Inc. v. Nokia Corporation and High Tech Computer Corp. (HTC). Certain Personal Data and Mobile Communications Devices and Related Software. United States International Trade Commission Investigation No. 337-TA-710.	Expert reports; depositions; testimony at hearing	Retained by Kirkland & Ellis LLP (contacts: Marc Sernel and Eric Hayes) representing Apple Inc. This was a patent dispute. The case involved technology for the interface of DSPs in cell phones. I handled both infringement as well as validity.
07/2010-11/2010	ACQIS LLC v. Appro International, Inc., ClearCube Technology, Inc., Dell Inc., Fujitsu Computer Systems Corp., Hitachi America, Ltd., Hewlett-Packard Co., International Business Machines Corp., NEC Corp. of America, NEX Computers, Inc., Sun Microsystems, Inc. and Super Micro Computer, Inc. Case No. 6:06-cv-00148 In the United States District Court for the Eastern District of Texas	Expert report on invalidity and non-infringement	Retained by Covington & Burling LLP (contact: Chris Martiniak) representing Hewlett Packard. This was a patent matter involving computer blade servers. The case settled.
04/2010-06/2010	Illinois Computer Research LLC v. Harpo Productions, Inc. et al Case Number: 1:2008cv07322 In The United States District Court for The Northern District of Illinois Eastern Division	Expert report; deposition	Retained by Jackson Walker L.L.P. (contacts: Michael Locklar and Charles Babcock) representing Harpo Productions, Inc. This was a patent dispute. The case involved technology for display of books on a website. This case settled.
02/2010-06/2010	Motorola Inc. v. Research Motion Limited et al <i>Certain wireless communication server system software, wireless handheld devices and battery packs.</i> United States International Trade Commission Investigation No. 337-TA-706	Expert report	Retained by Ropes & Gray (contacts: Paul M. Schoenhard and Steven Pepe) representing Motorola, Inc. This was a patent dispute. The case involved technology used in pagers and cell phones as well as their servers. This case settled.
08/2009-10/2010	Balthaser Online, Inc. v. Network Solutions, LLC. Civil Action No. 2:08-cv-430 In The United States District Court Eastern District of Texas Marshall Division	Expert report	Retained by Dickstein Shaprio, LLP (contacts: Alfred R. Fabricant and Lawrence C. Drucker) representing Balthaser Online, Inc. This was a patent dispute. The case involved technology for the display of rich media applications on a web site. This case settled.

05/2009-05/2010	<i>Nuance Communications Inc. et al v. Tellme Networks Inc.</i> Case Number: 1:2006cv00105 In The United States District Court for The District of Delaware	Expert report	Retained by McKool Smith (contacts: Luke F. McLeroy) representing Nuance Communications. This was a patent dispute. The technology involved techniques for using speech recognition in telephone information systems. This case ended in summary judgment for the defendant.
12/2008-12/2009	<i>TruePosition Inc. v. Andrew Corp, C.A.</i> Case No. 05-0747-SLR (D. Del) U.S. District Court for the District of Delaware	Declaration; expert report	Retained by Kirkland & Ellis, LLP (contact: Avinash Lele) representing Andrew Corp, C.A. Patent infringement case concerning technology for determining location of a cell phone using information from several cell phone towers. I provided an analysis of a workaround approach.
10/2008-01/2010	<i>RealTime Data LLC. v. Packeteer, Inc.</i> Case No. 6:2008cv00144 U.S. District Court for the Eastern District of Texas	Expert report, depositions, trial prep	Retained by Ropes & Gray, LLP (contact: Anthony Pastor) representing RealTime Data, LLC. Patent infringement case concerning data compression, storage, and transmission. This case settled on first day of trial.
10/2008-09/2009	<i>Thomson Reuters (Scientific) Inc. v. David A. Von Moll, Comptroller of the Commonwealth of Virginia and George Mason University</i> Civil Action No. CL2008-17114 Circuit Court of Fairfax County Virginia	Expert report	Retained by Edwards Angell Palmer & Dodge LLP (contacts: Glenn Pudelka and Barry Kramer) representing Thomas Reuters (Scientific) Inc. Contracts dispute centered around allegations of reverse engineering of software. This case ended in summary judgment.
04/2008-12/2008	<i>International Business Machines Corporation v. Asustek Computer, Inc. Certain Computer Products, Computer Components and Products contain Same.</i> United States International Trade Commission Investigation No. 337-TA-628	Expert reports, declarations, depositions, testimony at hearing	Retained by Cadwalader Wickersham & Taft LLP (contacts: John Mochringer and Christopher Hughes) representing IBM in this matter. This was an US ITC investigation regarding infringement of a number of IBM patents by computers produced and sold by Asustek. The technology involved computer control of cooling systems for computers. I was involved with infringement as well as validity issues.
10/2007-05/2008	<i>Lucent, Alcatel-Lucent, and Multimedia Patent Trust v. Microsoft</i> Case no. 06-CV- 0684-H (LAB) U.S. District Court for the Southern District of California	Expert reports; depositions; testimony at trial	Retained by Kirkland & Ellis LLP (representing Lucent Technologies) (contacts: Robert Appleby and John Desmarais) and Baker Botts, LLP (representing Alcatel-Lucent). I advised on infringement as well as validity of U.S. Patents 5,838,319 and 5,977,971. Gave trial testimony regarding invalidity of the '971 patent: jury found the patent was invalid.
03/2000-01/2009	<i>National Music Publishers' Association et al. v. XM Satellite Radio Inc.</i> Civil Action 06-CV-3733(LAK) In The U.S. District Court for the Southern District of New York		Retained by Gibson Dunn & Crutcher, LLP representing National Music Publishers' Association. Copyright dispute concerning the impact of various XM Satellite Radio products. I provided an analysis of source code and functionality of several XM devices.

06/2006-02/2007	<i>Lucent v. Gateway, Microsoft, Dell</i> Case no. 02-CV-2060-B (LAB) Case no. 03-CV-0699-B (LAB) Case no. 03-CV-1108-B (LAB) U.S. District Court for the Southern District of California	Expert reports; depositions; testimony at trial	Retained by Kirkland & Ellis, LLP representing Lucent Technologies (contacts: Robert Appleby and John Desmarais). I worked on the infringement of Patents 5,341,457 and 5,627,938 as well as validity of these patents. At trial, I testified to regarding infringement of the '457, '938 and '080 patents. This matter concluded with a successful verdict and an award to Lucent of \$1.5 billion.
02/2006	<i>Board of Regents of the University of Texas v. Benq America Corp et al.</i> Civil Action No. A:05CA181 U.S. District Court for the Western District of Texas	Markman Hearing Testimony; Expert reports; deposition; tech tutorial	Retained by Quinn Emanuel Urquhart Oliver & Hedges LLP (contacts: Evette Pennypacker and Kevin Johnson) representing Benq America et al. Patent infringement. For a Markman (claim construction) hearing, prepared and presented a technology tutorial and testified before a special master. Prepared reports and gave deposition regarding invalidity and inoperability technology in the patent at issue. Claim construction hearing led to summary judgment in Benq America's favor.
2006	<i>Telefonaktiebolaget LM Ericsson et al. v. Samsung Electronics Company Ltd.</i> Investigation No. 337-TA-577 U.S. International Trade Commission	Expert reports and depositions	Retained by Kirkland & Ellis LLP (contacts: Bao Nguyen, Adam Gill and Michael Pieja) representing Samsung in several patent infringement claims brought by Ericsson. Claims involved technologies for messaging, speech encoding, and speech recording within various GSM cell phones. This case settled just prior to hearing.
07/2005-02/2006	<i>Encyclopedia Britannica Inc. v. Alpine Electronics of America Inc. et al.</i> Civil Action No. 05-359 U.S. District Court for the Western District of Texas	Expert report; deposition	Retained by Baker Botts LLP (contact: David Wille) representing Encyclopedia Britannica, Inc. Patent infringement. Prepared report on the definiteness of certain claim terms, and was deposed on this matter. This case is ongoing but inactive.
05/2005-present	<i>Advanced Analytics Inc v. Citigroup Global Markets Inc.</i> U.S. District Court for the Southern District of New York Case No. 04 Civil 3531 (LTS)	Declarations and expert reports; deposition	Retained by Cleary Gottlieb Steen & Hamilton LLP (contacts: David Williams and Chris Moore) representing Citigroup Global Markets, Inc. Theft of trade secrets. I have been involved in software analysis in this case. The case involved software used to price complex financial instruments. Refuting the claims required software analysis as well as statistical analysis of certain elements of the systems involved. This case pending.
05/2005-09/2005	<i>Atronic International GMBH v. SAI Semi-specialists of America Inc.</i> Case No. 03-CV-4892 (TCP) (MLO) U.S. District Court for the Eastern District of New York	Expert report; deposition	Retained by Ford Marrin Esposito Wittmeyer & Gleser, LLP (contact: Edward M. Pinter) representing Atronic International. Contracts dispute. I have acted primarily to rebut another witness regarding what would have been reasonable behavior for a customer of an electronic parts supplier. This case settled.

02/2005-03/2006	<i>Tivo Inc. v. EchoStar Communications Corporation</i> Case No. 2:04-cv-01 DF U.S. District Court for the Eastern District of Texas	Expert report; deposition; testimony at trial	Retained by Morrison & Foerster (contact: Karl Kramer) representing EchoStar. This case involved digital video recorder (DVR) technology. My work focused on the invalidity of the Tivo patent. I found many pieces of prior art including complete systems that were presented at trial. Tivo prevailed at trial. Most of the claims were subsequently found invalid on re-exam. This case has been the subject of many appeals.
12/2004-05/2006	<i>Foundry Networks Inc. v. Lucent Technologies Inc.</i> Case No. 2:04-CV-40 (TJW) (E.D. Tex.) U.S. District Court for the Eastern District of Texas	Expert reports	Retained by Kirkland & Ellis LLP (contacts: Jenny Lee and Jeanne Heffernan) representing Lucent Technologies. I advised on infringement as well as validity of U.S. Patent 5,649,131. In addition to generating several reports, I supported the drafting of motions and declarations. This case settled shortly before trial.
07/2004-01/2005	<i>Voice Capture Inc. v. Intel Corporation, Dialogic Corporation, and Nuance Communications, Inc.</i> No. 4:04-cv-40340 U.S. District Court for the Southern District of Iowa	Expert report	Retained by Gary Cary (contact: Edward Sikorsky) representing Intel Corporation. The case involved Voice Capture's allegation of patent infringement by Intel in the area of interactive voice response systems. In producing an invalidity report on the patent, I analyzed the patent and prior art in great detail. I also provided an expert report on invalidity and an analysis of a rebuttal report. The case settled.
05/2004-03/2005	<i>Dolby Laboratories Inc. v. Lucent Technologies Inc.</i> U.S. District Court for the Northern District of California Case No. C 01-20709 JF (RS)	Expert report	Retained by Kirkland & Ellis, LLP (contact: Alan Kellman) representing Lucent Technologies. This case involved infringement of a number of Lucent's patents by Dolby's AC3 codec. The case settled.
03/2003	<i>Agere Systems Inc. v. Broadcom Corporation</i> Civil Action No. 03-3138 U.S. District Court for the Eastern District of Pennsylvania	Expert reports	Retained by Kirkland & Ellis LLP (contacts: Bryan Hales and Edward Runyan). The case involved Agere's allegation of patent infringement by Broadcom in the area of speech compression used in various Broadcom telephone products. I analyzed the operation of a speech codec used in digital telephones, worked with counsel and other experts to prepare reports. This case settled.

10/2001	<i>AT&T Corp., v. Microsoft Corporation</i> Civil Action No. 01 CV 4872 (WHP) U.S. District Court for the Southern District of New York	Expert reports; deposition; testimony at trial	Retained by Cooley Godward Kronish LLP (contacts: Frank Pietrantonio and Stephen Neal) representing AT&T. The case involved AT&T's allegation of patent infringement by Microsoft in the area of speech compression. I analyzed the operation of three speech codecs and worked with counsel and other experts to prepare reports. I was deposed and gave testimony at trial. After the presentation of our case, the matter settled; details of the settlement are confidential. Elements of this case reached the U.S. Supreme Court.
2000	<i>Data System Analysis Inc. v. The Netplex Group Inc., Technology Development Systems Inc. and Xcellenet Inc.</i> Civil Action No. 97-4652 (JBS-RBK) U.S. District Court for the District of New Jersey	Expert reports; deposition	Retained by Saul Ewing LLP (contact: Michael Lampert) representing Netplex. Data Systems Analysis (DSA) brought suit against Netplex in a contract matter regarding software claimed by both companies. I was retained to analyze the disputed software and determine a method for computing damages. My expert report found that "functionality" and "effort required to create" were both better metrics than "number of lines of software", the measurement proposed by DSA. I was deposed for several days in this case, provided analysis of other expert reports and assisted in preparing counsel for depositions. This case settled.
01/1998-01/2001	<i>System Management Arts Inc. (SMARTS) v. Avesta Technologies Inc. and David Zager</i> 97 Civil 8101 (RWS) U.S. District Court for the Southern District of New York	Expert reports; deposition	Initially retained by Kramer Levin Naftalis & Frankel, LLP (contact: Thomas H. Moreland) representing SMARTS. In early 2000 SMARTS retained Proskauer Rose, LLP (contact: Kenneth Rubenstein). The case involved a SMARTS patent in the area of automatic diagnostics of faults in communications networks. I analyzed an Avesta system with similar claimed capabilities and produced an expert report. I also gave deposition and participated extensively in technological analysis and strategic discussions of all aspects of the case. This case settled.
1997	<i>Knowledge Based Technologies Inc. v. International Business Machines Corp.</i> Case No. 96-9461 (JSR) U.S. District Court for the Southern District of New York	Expert reports; deposition	Retained by Morris, Nichols, Arsht & Tunnell, LLP (contact: Karen Jacobs Loudon) representing Knowledge Based Technologies. Contract dispute regarding the application of fuzzy logic techniques. I generated an expert report that analyzed several forms of fuzzy logic software to determine whether the software was independently developed. I also was deposed in this case. This case settled.